THE ANCHAL BILL.

Mr. Raman Pillai.—At a previous meeting of the Council, permission was granted to me to introduce the Anchal Bill. The Bill has been published in the Gazette and copies have been circulated among the Members. I beg permission to introduce the Bill and to move that the principle thereof be affirmed.

Seconded by Mr. Ananda Row.

Carried.

Mr. Raman Pillai then proposed that the Bill be referred to a Select Committee, consisting of Mr. Ananda Row, Mr. Easwara Pillai and the Mover, to report within two months.

Seconded by Mr. Vieyra.

Carried.

THE TOWNS CONSERVANCY AND IMPROVEMENT REGULATION AMENDMENT BILL.

Mr. Ananda Row.—I beg to present the report of the Select Committee on this Bill. The report has been published in the Gazette. But I have to say that there are several important amendments now under the consideration of the Government, which may have to be embodied in the amending Bill. I therefore pray that the consideration of the Select Committee's Report on this Bill be postponed to the next ordinary meeting of the Council.

Seconded by Mr. Vieyra.

Carried.

THE RUBBER THEFTS PREVENTION BILL.

Mr. Ananda Row.—Sir, I beg to present the report of the Select Committee on the Rubber Thefts Prevention Bill. The Bill originally prepared by Mr. Richardson, having been found deficient in several points, has been re-drafted by the Committee on the lines of the Rubber Thefts Prevention Ordinance of Ceylon, without altering the principle of the Bill already affirmed by the Council. I beg to move that the report be taken up for consideration.

Seconded by Mr. Raman Pillai.

Carried.

Section 2.

Mr. Vieyra.—Sir, I propose that the word "Government" be substituted for the word "Dewan" in this Section and wherever this latter word occurs throughout the Bill, except in clause (2) of Section 5.

Seconded by Mr. Raman Pillai.

Carried.

Section 3.

Mr. Vieyra.—The expression "Dewan Peishkar" occurring in this as well as other Sections of the Bill, is not sufficiently comprehensive to include every officer in charge of a Revenue Division, such as the Superintendent of the Devicolam Division. I therefore propose that the words "Peishkar or other officer in charge of the Revenue Division" be substituted for the words "Dewan Peishkar" wherever ...er expression occurs throughout the Bill, except in clause (2) of Section 5 ...f Section 14 ...e, to avoid repetition, the words "Peishkar or other ...d" ...tuted; and also except in Section 9, clause (1), where ...k" may be substituted, as the duty of issuing the ...sed dealers therein referred to, may conveniently

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Section 10.

Mr. Cameron.—Sir, I think that the power to inspect licensed premises under this Section should not be given to a Police Officer below the rank of an Inspector. This will not cause inconvenience as every taluk has an Inspector. I therefore propose that the words "an Inspector" be substituted for the words "a Station House Officer" in line 4.

Seconded by Mr. Easwara Pillai.

Carried.

Mr. Kesava Pillai.—I think that the provision for awarding rigorous imprisonment, contained in the latter part of the Section, is unnecessary, having regard to the nature of the offence mentioned. I propose that the words "or rigorous" in line 25 may be omitted and the words "or both" may be added at the end of the Section.

Seconded by Mr. Easwara Pillai.

Carried.

Section 16, Clause (2).

Mr. Kesava Pillai.—Sir, as there are no "Peace officers" in this country, I propose that the words "or Peace officer" in lines 1 and 2 may be omitted. I also propose that the word "charged" be substituted for the word "brought" in line 6 and that the words "and charged" in the last line be omitted.

Seconded by Mr. Madhavan Tampi.

Carried.

Section 17.

Mr. Ananda Row.—This Section provides for both penalty and compensation for false information given or false complaint made. This is of the nature of double punishment. A provision for the payment of compensation on the lines of Section 227 of the Criminal Procedure Code, will, I think, answer the purpose, the maximum amount that may be awarded as compensation being raised to one hundred rupees. I therefore propose that the Section with its marginal note be recast as follows:—

"17. If, in case instituted upon information or complaint of an offence against the last foregoing Section, a Magistrate acquits the accused, and is of opinion that the information given or complaint made was frivolous or vexatious, he may, in his discretion, by his order of acquittal, direct the informant or complainant to pay to the accused, or to each of the accused where there are more than one, such compensation, as the Magistrate thinks fit, provided that such compensation shall not in any case exceed one hundred rupees on the whole.

Compensation for false information or complaint.

Provided that, before making any such direction, the Magistrate shall—

(a) record and consider any objection which the informant or complainant may urge against the making of the direction, and, (b) if the Magistrate directs any compensation to be paid, state in writing, in his order of acquittal, his reasons for awarding the compensation.

The sum so awarded shall be recoverable as if it were a fine: Provided that, if it cannot be realised, the imprisonment to be awarded in lieu shall be simple, and for such term, not exceeding thirty days, as the Magistrate directs.

Recovery of the compensation.

An informant or complainant who has been ordered under the first par... this Section by a Magistrate to pay compensation to an accused person, ma... from the order, in so far as the order relates to the ... if such informant or complainant had been convict... trate.

...da Row
Mr. Vieyra
...he co... two months.

Where an order for payment of compens... a case which is subject to appeal under the la... shall not be paid to him before the period all... has elapsed, or if an appeal is presented, be...

At the time of awarding compens... the same matter, the Court shall take i... pensation under this Section.

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If, on appeal or revision, the Appellate or High Court sets aside the award of compensation, the amount of compensation (if any) paid under this Section to the accused, shall be recovered from him as if it were a fine and repaid to the complainant."

Seconded by Mr. Krishnan Nair.

Carried.

Section 18.

Mr. Kesava Pillai.—In this Section also, I am of opinion that the provision for awarding rigorous imprisonment may be omitted. I therefore propose that the words "or rigorous" in line 6 may be omitted and the words "or both" may be inserted at the end.

Seconded by Mr. Krishnan Nair.

Carried.

Mr. Ananda Row.—Sir, I beg to move that the Bill as now adopted by the Council be read again on a future day of which notice shall be given.

Seconded by Mr. Vieyra.

Carried.

THE MOTOR-VEHICLES BILL.

Mr. Ananda Row.—Sir, I beg to present the Report of the Select Committee on the Motor-Vehicles Bill, and move that the Report be taken up for consideration.

Seconded by Mr. Vieyra.

Carried.

The Council having approved of the Bill as amended by the Select Committee, Mr. Ananda Row moved that the Bill, as passed by the Council, be read again on a future day of which due notice shall be given.

The motion was put and agreed to.

THE REVENUE RECOVERY REGULATION AMENDMENT BILL.

Mr. Ananda Row.—I beg to move that the Revenue Recovery Regulation Amendment Bill be finally read and passed.

Seconded by Mr. Raman Pillai.

Carried.

THE STAMP REGULATION AMENDMENT BILL.

Mr. Ananda Row.—Sir, before this Bill is finally passed, I have to move a verbal amendment. The words "in the first two lines in para 2" in Section I, are superfluous and I propose that they be omitted.

Seconded by Mr. Vieyra.

Carried.

Mr. Ananda Row.—I propose that the Bill be read again and passed on a future day.

Seconded by Mr. Raman Pillai.

Carried.

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